

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

V.

Case No. 5:19-CR-50094

FREDERICK HERROD

DEFENDANT

ORDER

Comes before the Court for consideration Defendant's Motion to Amend or Correct Defendant's Motion to Vacate under 28 U.S.C. § 2255 (ECF No. 136), and the Court, being well and sufficiently advised, and after completing a line by line comparison of Defendant's proposed Motion to Vacate with Defendant's earlier Motion to Vacate (ECF No. 107), finds that the Motion should be **GRANTED** and the Clerk of the Court directed to file Defendant's proposed, amended Motion to Vacate (ECF No. 136-1) of record in this matter.

With respect to Defendant's Motion to Serve his amended Motion to Vacate on the United States (ECF No. 138), the Court finds the Motion should be **DENIED as moot**. The United States will receive a file-marked copy of Defendant's amended Motion to Vacate. No additional response is required from the United States as the amended Motion does not materially or substantially amend the relief sought by Defendant.

IT IS SO ORDERED this 16th day of June 2022.



CHRISTY COMSTOCK
UNITED STATES MAGISTRATE JUDGE